

INTERNATIONAL COURT OF APPEAL

of the

FEDERATION INTERNATIONALE DE L'AUTOMOBILE

**Appeal lodged by AKK Motorsport on behalf of its licence-holder Printsport
against
decision n° 12 dated 21 October 2015 of the Stewards of the Tour de Corse
counting towards the 2015 FIA World Rally Championship (WRC3/WRC
Junior)**

Case ICA-2015-04

Hearing of 18 December 2015 in Paris

The INTERNATIONAL COURT OF APPEAL of the FIA (“the Court”), comprising Mr Philippe ROBERTI DE WINGHE (Belgium), who was designated President, Mr Erich SEDELMAYER (Austria) and Mr Pierre TOURIGNY (Canada), met in Paris on Friday, 18 December 2015 at the Fédération Internationale de l’Automobile, 8 place de la Concorde, 75008 Paris,

Ruling upon the request to withdraw the appeal pertaining to the appeal lodged on 23 October 2015 by AKK Motorsport (ASN of Finland) on behalf of its licence-holder Printsport against decision n° 12 dated 21 October 2015 of the Stewards of the Tour de Corse counting towards the 2015 FIA World Rally Championship (WRC3/WRC Junior),

WHEREAS the aforementioned appeal was referred to the ICA on 23 October 2015, that convocations and a procedural calendar were sent to the Parties on 30 October 2015, in particular specifying to the appellant the date of 16 November 2015 as the deadline for producing its appeal submission,

WHEREAS arrangements were then made to constitute a panel of judges ahead of a hearing set for 18 December 2015,

WHEREAS from 4 November 2015, the appellant enquired with the General Secretariat of the ICA as to the procedures for the possible withdrawal of the appeal and that it received a reply on this point the same day,

WHEREAS by electronic mail dated 5 November 2015, the appellant indicated to the General Secretariat of the ICA its intention to pursue the proceedings,

WHEREAS the ICA not having received the appeal submission from the appellant by the deadline of 16 November 2015, the General Secretariat sent the latter, on 18 November 2015, an electronic mail in order to enquire as to its intentions with regard to the proceedings already underway,

WHEREAS, by a first electronic mail dated 19 November 2015 (07.28 CET), the appellant indicated to the General Secretariat of the ICA its intention to pursue the proceedings but not to file a written submission and merely to attend the hearing of 18 December 2015,

WHEREAS, in consequence, the General Secretariat of the ICA immediately informed the judges comprising the panel of judges that the proceedings would go ahead, in order to enable

them to confirm the arrangements they had already made regarding their availability and their travel to Paris,

WHEREAS, by a second electronic mail dated 19 November 2015 (15.40 CET), the appellant indicated to the General Secretariat of the ICA that it had finally decided not to continue its appeal, so necessitating the withdrawal of said appeal,

WHEREAS, in this second electronic mail, the appellant indicated “*I hope this process and our very late withdrawal did not make too much work to you all*”,

WHEREAS this request to withdraw the appeal was confirmed on 20 November 2015 by AKK Motorsport,

WHEREAS, by a letter dated 26 November 2015, the FIA indicated that it had no particular objection to this request to withdraw the appeal,

WHEREAS no objection was raised with regard to the request to withdraw the appeal by any person whatsoever,

WHEREAS the Court believes that the multiple prevarications of the appellant with regard to whether or not it should continue its appeal, coupled with the fact that the General Secretariat of the ICA had to enquire as to the appellant’s desire to pursue the procedure or not following the expiry of the deadline imposed to produce its appeal submission, bear witness to a cavalier attitude;

ON THOSE GROUNDS,

THE INTERNATIONAL COURT OF APPEAL:

- 1. Hereby takes formal note, in conformity with Article 10.2 of the Judicial and Disciplinary Rules of the FIA, that the appeal of AKK Motorsport on behalf of its licence-holder Printsport is declared abandoned;**
- 2. Orders, in conformity with Article 11.2 of the Judicial and Disciplinary Rules of the FIA, the restitution to Printsport of one half of the appeal fee deposited, namely €3 000.**

Paris, 18 December 2015

Philippe ROBERTI DE WINGHE, President